IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 15601 of 2004

Between:

B.Praveen Kumar, S/o.Late B.V.Rama Rao,
Kondaiah palem gate, Nakkalagunta, Nellore Dist.

..... PETITIONER

AND

1 The APSRTC rep.by its M.D., Musheerabad, Hyderabad.
2 The APSRTC Rep by its Regional manager,

Nellore Region, at Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not considering my case for appointment on compassionate grounds as cleaner/conductor or for any suitable post inpursuance of the proc.No.E1/756(2)/2002-Vakadu dt.1-10-2002 is arbitrary, illegal, unjust, arbitrary and against to the well established principles of law and as such liable to be set aside in the interest of justice with a consequential direction to appoint the petitioner in any suitable post forthwith.

Counsel for the Petitioner: MR.S.M.SUBHAN

Counsel for the Respondent Nos.1 & 2: MR.R.MANMADA REDDY (SC FOR APSRTC)

The Court at the stage of admission made the following:

HONOURABLE DR. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.15601 OF 2004

ORDER:

The petitioner claims that he is the son of deceased employee by name B.V.Rama Rao. The said B.V.Rama Rao died in harness on 18-12-2001 while in service, leaving behind the petitioner, daughter and wife.

2. The petitioner submits that he made a representation to the second respondent on 07-06-2002 for providing employment under 'Breadwinner Scheme'. He also sent another representation on 25-9-2002. On 01-10-2002 the second respondent sent a letter mentioning that the request of the petitioner was not accepted and directed him to opt for additional monetary benefit in lieu of employment. Immediately, he made another application on 12-01-2003 stating that he is only interested in employment, but not monetary benefit.

3. During the pendency of the said representation, the Corporation issued a circular dated 30-07-2003 providing for compassionate appointments to the dependents of the deceased employee.

4. The grievance of the petitioner is that the second respondent did not pass any order in pursuance of the circular of the respondent-Corporation dated 30-07-2003. He therefore, approached this Court seeking a direction to the second respondent to pass appropriate orders on his representation.

5. In the light of the circumstances explained by the petitioner, the second respondent is directed to pass appropriate orders on the representation of the petitioner dated 12-01-2003, by keeping in view the circular of the Corporation dated 30-07-2003 within two months from the date of receipt of a copy of this order.

6. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

01st September, 2004

SKM

TO

1 The Managing Director, APSRTC, Musheerabad, Hyderabad.
2 The Regional manager, APSRTC

Nellore Region, at Nellore.

3 Two C.D. Copies.